

Issued January 20, 1939

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

Proclamations and Determinations Relating to Corn Allotments

Regulations Governing the Determination of 1939 Farm Corn
Acreage Allotments Under Title III of the Agricultural
Adjustment Act of 1938, as Amended

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By virtue of the authority vested in the Secretary of Agriculture by Sections 301, 329, and 375 of the Agricultural Adjustment Act of 1938 as amended, I do prescribe the following regulations applicable for determining farm corn acreage allotments for the 1939 crop in counties in the commercial corn-producing area under Title III of said Act, to be in force and effect until rescinded, amended, or superseded by regulations hereafter made by the Secretary of Agriculture under said Act.

The applicable provisions of the Act in Section 329, paragraph (b), provide that

"The acreage allotment to the county for corn shall be apportioned by the Secretary, through the local committees, among the farms within the county on the basis of tillable acreage, crop-rotation practices, type of soil, and topography."

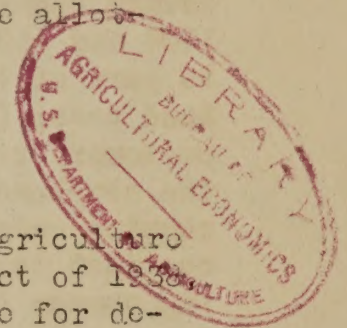
Section 111. Determination of farm corn acreage allotments for 1939. The county committee, with the assistance of other local committees in the county and subject to the approval of the State committee, shall determine farm acreage allotments of corn for farms in the commercial corn-producing area for the calendar year 1939 on the basis of tillable acreage, crop rotation practices, type of soil, and topography of the farm land as follows:

(a) Determination of corn areas within a county. In counties in which the county committee, with the approval of the State committee, determines that there exist two or more distinct types of land

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with respect to adaptation to the production of corn, area determinations will be made. Land best adapted to the production of corn because of soil types or distinguishing characteristics, such as overflow or river bottom land, will be designated as Area "A". Land less adapted to the production of corn, such as uplands, will be designated as Area "B". Counties in which no distinct difference exists with respect to soil types or topographical characteristics will not have area determinations.

(b) Determination with respect to tillable acreage and crop rotation practices. As a basis for giving consideration to tillable acres and crop rotation practices in the apportionment of the county corn acreage allotment to farms, the county committee shall first determine for each farm the usual acreage of corn. This acreage shall be the average acreage of corn planted (plus the acreage determined by the county committee to have been diverted from the production of corn under the agricultural conservation programs) during the years 1936 and 1937. If the county committee finds that the acreage planted to corn in such years, 1936 and 1937, (1) was abnormally low due to extreme drought or flood or to part of the 1939 cropland being previously devoted to other than cropland uses; (2) is not typical of the farm for 1939 due to a change in the customary crop rotation practices; (3) is not typical because a part of the cropland on the farm was devoted to the production of sweet corn for canning under contract for 1936 or 1937, or both, and is not under similar contract for 1939; (4) was abnormally high due to failure of soil-conserving crops; (5) was abnormally high because a part of the 1939 noncropland was previously devoted to cropland uses; (6) was abnormally high because a part of the cropland on the farm is under contract for the production of sweet corn for canning or popcorn for 1939 and was not under similar contract in 1936 or 1937, or both; or (7) was abnormally high because an unusually large acreage was planted to corn in 1936 or 1937 due to winter killed wheat acreage, then the usual acreage of corn for the farm shall be determined by applying to the cropland acreage for such farm in 1939 a county factor determined by dividing the county average acreage of corn planted in 1936 and 1937 by the total cropland for the county.

In counties having area determinations, the factor for deriving the usual acreage shall be based upon the area total average acreage of corn planted in 1936 and 1937 divided by the area total cropland. A separate factor shall be used for each area in the county.

(c) Determinations with respect to type of soil and topography. As a basis for giving consideration to types of soil and topography in the apportionment of the county corn acreage allotment to farms, the county committee shall determine for each farm the indicated corn acreage which shall represent the acreage of corn that should be planted in the light of good soil management for the particular types of soil comprising the farm and the erodibility as related to the topography of the farm land. Such indicated acreage shall be given equal weight with the usual acreage of corn for the farm in the determination of the farm corn acreage allotment.

(d) Adjustment to county acreage allotment. The farm averages of the usual acreage of corn, determined under paragraph (b) of this section, and the indicated corn acreage, determined under paragraph (c), adjusted pro rata to equal the county acreage allotment, shall be the farm acreage allotments, except that if the committees determine that the allotment so derived does not represent the corn acreage which the farm might reasonably be expected to utilize in 1939, the committees shall recommend a corn acreage for the farm which shall not be greater than the allotment established by the procedure.

Sec. 112. Determination of individual farm corn yields. Individual farm yields for corn shall be determined on the basis of the historical record for the farm for the period 1929-1938, inclusive, or, where accurate corn yield records are not available, the farm yield will be determined by appraisal. Individual farm corn yields shall be weighted by the individual corn acreage allotments and adjusted to meet the county corn yield. This adjustment will be made on a minor civil division basis in the following manner:

The individual farm yield for corn is determined on the basis of the historical record for the farm for the period 1929-1938, inclusive, or where accurate corn yield records are not available, the farm yield will be determined by appraisal. Individual farm corn yields weighted by the individual farm corn allotments are factored to the county average corn yield on a township basis. This is done by applying to the established yields for each farm a factor derived as follows:

- (1) Multiply the yield established for each minor civil division by the minor civil division total of the corn acreage allotments established for the farm in each respective minor civil division.
- (2) Add the minor civil division extensions obtained by multiplying each individual corn acreage allotment by the yield established for the farm.
- (3) Divide the result in (1) for each minor civil division by the result in (2) for each respective minor civil division and round to four decimal places.

Sec. 113. Miscellaneous provisions applicable to farm corn acreage allotments and yields. (a) Opportunity to furnish data. Any person owning or operating a farm in a commercial corn-producing county may submit to the county committee any information or data which is relevant to the factors to be taken into consideration by the county committee in determining the farm corn acreage allotment and yield.

(b) Appeals. Any person who is dissatisfied with the determination of the county committee with respect to the corn acreage allotment and/or yield for any farm in which he has an interest may, within 15 days after notice of each allotment is forwarded to or available to him, appeal from such determination by following the procedure governing appeals under the 1938 Agricultural Conservation Program.

(e) Instructions and forms. The Administrator of the Agricultural Adjustment Administration shall cause to be prepared and issued with his approval such instructions and forms as may be required to carry out these regulations.

Sec. 114. Definitions. As used in these regulations and in all forms and documents in connection therewith, unless the context or subject matter otherwise requires, the following terms shall have the meaning ascribed:

(a) The term "Act" means the Agricultural Adjustment Act of 1938 and any amendments thereto.

(b) The term "Secretary" means the Secretary of Agriculture of the United States.

(c) The term "Department" means the United States Department of Agriculture.

(d) The term "commercial corn-producing area" means that area determined and established by the proclamation of commercial corn-producing area for the year 1939 made by the Secretary of Agriculture December 30, 1938.

(e) The term "farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land operated by the same person (as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land), the inclusion of which is requested or agreed to, within the time and in the manner specified by the Agricultural Adjustment Administration, by the operator and all the owners who are entitled to share in the proceeds of the crops on any of the land to be included in the farm, and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops; Provided, That land not under the same ownership shall be included in the same farm only if the county committee determines that:

(i) There is one crop rotation system on the entire area of land;

(ii) The yields and productivity of the different ownerships do not vary substantially;

(iii) The combination is not being made for the purpose of increasing acreage allotments or primarily for the purpose of effecting compliance; and

- (iv) The several ownership tracts constitute a farming unit for the operator and will be regarded in the community as a farm in 1939.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or, if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

(f) The term "acreage allotment of corn for 1939" means that acreage in the commercial corn-producing area determined and established by the proclamation of corn acreage allotment for the commercial corn-producing area issued by the Secretary of Agriculture December 30, 1938.

(g) The term "county acreage allotment of corn" for the calendar year 1939 means that acreage of corn apportioned to the county by the determination of county corn acreage allotments and county normal yields of corn for 1939 issued by the Secretary of Agriculture December 30, 1938.

(h) The term "farm corn acreage allotment" means the acreage allotment established for a farm with respect to corn by apportioning the county acreage allotment of corn among all the corn-producing farms in the county.

(i) The term "State committee" means the group of persons designated within any State to assist in the administration of the agricultural conservation programs in such State.

(j) The term "county committee" means the group of persons elected within any county to assist in the administration of the agricultural conservation programs in such county.

(k) The term "local committee" means any committee, whether or not a county committee, utilized under Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended.

[SEAL]

Done at Washington, D. C.
this 20th day of January 1939.
Witness my hand and the seal of
the Department of Agriculture.

/s/ H. A. WALLACE

Secretary of Agriculture.

